

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	WT Docket No. 98-143
)	
1998 Biennial Regulatory Review --)	RM-9148
Amendment of Part 97 of the Commission's)	RM-9150
Amateur Service Rules.)	RM-9196

Reply to Comments

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SUMMARY

I support the proposal of No-Code International.

Telegraphy examinations are obsolete and should be eliminated immediately. If the Commission sees a need to continue telegraphy examinations to meet with the requirements in section S25.5 of the ITU treaty, the maximum required speed for any license class should be 5 WPM.

REBUTTAL OF COMMENTS

A number of commenters gave specious and incorrect reasons for the preservation of a telegraphy requirement:

- *Morse Code is important for emergency communications. **Emergency communications are carried out in voice and data modes, not telegraphy. Many very effective emergency operators hold the Technician class of Amateur license and have never taken a telegraphy examination.***
- *Morse Code examinations are necessary so that Radio Amateurs will be good operators and practice proper etiquette on the air. **Learning Morse Code does not convey any knowledge of good operating practices and etiquette. Good radio operating practices are a separate topic from Morse Code, and are as important to the voice or digital operator as the telegrapher.***
- *If we eliminate Morse Code examinations, all of the CB-ers will come into ham radio, and will destroy it. **Anyone who wants to be a Radio Amateur and can pass the written exams should be granted a license, regardless of whether or not they have ever been a Citizens Band operator. The technical and operating standards of Amateur Radio will not be lowered by the elimination of Morse Code examinations. About half of the Amateurs who are the subject of enforcement actions by the FCC have passed high-speed code tests, so Morse Code examinations are not presently a "filter" for good operators.***

- *Morse Code examinations make sure that only people who are extremely motivated become Radio Amateurs. There is another name for a "motivation test": hazing. Or perhaps even discrimination.*
- *A Morse Code examination is necessary to preserve the traditions of Amateur Radio and recreate radio history. 97.1 does not list "preserving tradition" or "re-creating radio history" as a purpose of the Amateur Radio service. A large portion of licensed Radio Amateurs have not taken part in the Morse Code "tradition" and do not wish to do so.*
- *Eliminating the Morse Code examination would "dumb down" the Amateur service. Eliminating an obsolete, useless, and discriminatory requirement is not "dumbing down", it's good thinking.*
- *The people who want to eliminate Morse Code exams are doing it for money. They are all in the business of selling ham radio products and they want to have more customers. Most of the people who support eliminating code testing are not in the business of selling Amateur Radio equipment. They just want to save Amateur Radio for future generations.*
- *If the Morse Code examination is eliminated now, it will be a slap in the face of all of the amateurs who have already passed it. We don't want to lose anything! New hams should have to work as hard as we did! Existing Amateurs will keep all of their privileges. Even if some of them dislike change, changes have to come eventually. This change is long overdue.*
- *We should let Amateur Radio "die with dignity" rather than eliminate Morse Code examinations. People who say this would sacrifice the benefit of Amateur Radio for our children simply so that they can have a few more years of key-tapping, undisturbed by the "common people".*
- *Amateurs must know Morse Code because it is easier to build a Morse Code transmitter than a voice transmitter in an emergency when they are isolated from all help, like in a shipwreck or a plane crash far from civilization. The probability of this ever being necessary is extremely small. Ships and planes have emergency position-indicating radio beacons (EPIRBs) to handle this sort of situation.*

MY PROPOSAL FOR RULE-MAKING

The most desirable rule-making would be a total elimination of the Morse code requirement for all Amateur license classes. If the Commission wishes to retain some minimal code testing until section S25.5 of the ITU treaty is removed, I suggest an immediate reduction to a 5 words-per-minute maximum for all license classes, with a "sunset clause" that would eliminate the Morse code test in the US once the ITU treaty no longer requires it.

This modification of Part 97 would entirely eliminate code testing:

97.501, 97.505, 97.507: Delete all references to elements 1(A), 1(B), and 1(C).

97.503(a): Delete.

This alternative to the above modification would lower the maximum code-test speed to 5 words-per-minute and institute a "sunset clause" to end code-testing once ITU S25.5 is eliminated:

97.503: Element 1(A) should be renamed to "Element 1". Delete text regarding Element 1(B) and Element 1(C).

97.501, 97.505, and 97.507: All references to elements 1(A), 1(B), and 1(C) should be replaced by "Element 1". Add "Element 1 will no longer be required for any class of Amateur license once section S25.5 of the ITU treaty is no longer in force."

THE WRC-2000/2001 DELEGATION SHOULD ASK FOR S25.5 TO BE REMOVED

In addition to a domestic rule-making, section S25.5 of the International Telecommunications Union Treaty, which requires that Radio Amateurs demonstrate proficiency in Morse Code, should be struck from the treaty. I request that the US delegation ask for the removal of this obsolete provision at the next World Radio Conference. Until it's eliminated, S25.5 will cause us complications regarding CEPT (international) Amateur licenses and reciprocal operating permission for Amateurs who travel abroad, because of differences between the Morse code examination requirements of each country. Once S25.5 is removed, Morse code proficiency need not be considered in calculating the privileges that should be granted to US Amateurs operating in different countries.

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